

REMARKS

Applicant thanks the Examiner for the detailed comments in the Office Action Mailed May 19, 2009.

Applicant has filed a request for continued examination (RCE) and respectfully requests that the present amendments to the claims be entered.

Replacement drawings containing Figs. 1-6, are submitted herewith.

35 U.S.C. §112

As introduced in the specification at paragraph [0004], the retainer on the component is referred to as "the retainer or holder on the component". For consistency throughout the specification and claims, the term "holder" has been amended to "retainer". The amendments to the specification provides proper antecedent basis for the claimed subject matter.

Claims 1-3 and 8-9 have been amended as to formal matters and to overcome the objections and rejections in the Office Action.

Claims 4-6 have been canceled. The limitations of claims 4-6 have been incorporated into claim 1, as amended.

None of the references cited in the final Office Action disclose, teach or suggest all of the limitations of claim 1.

Anticipation

Section 102 embodies the concept of "novelty," that is, "if a device or process has been previously invented (and disclosed to the public), then it is not new, and therefore the claimed invention is 'anticipated' by the prior invention." Because the hallmark of anticipation is prior invention, the prior art reference must not only disclose all elements of the claim within the four corners of the document, but must also disclose those elements "arranged as in the claim."

The Krauss DE 100 53 300 reference omits the following elements arranged as in amended claim 1:

- an anchorage part including a screw thread coupling the anchorage part with the first retainer adjustably in at least a Z-translational direction in relation to a surface of the component;
- an insertion pin, including a trunnion portion on a first end and a ball on a second end of the insertion pin opposite of the first end, the ball coupling with the anchorage part as a ball joint, such that the insertion pin is adjustable in at least the Z-translational direction in relation to the surface of the component;
- a receiver, the receiver being of an elastically deformable soft material and having a first recess, the first recess being contoured for receiving the trunnion portion of the insertion pin, providing a snap connection between the receiver and the insertion pin, and the receiver includes a support flange capable of coupling with a second retainer coupled to the component such that the support flange of the receiver fits flat against the second retainer and is adjustably held and attachable in an XY-plane substantially perpendicularly in relation to the Z-translational direction;
- and
- a means for locking the support flange within the second retainer, wherein the means for locking locks the support flange within the second retainer when activated.

The connection element according to amended claim 1 is adjustable in an X-Y direction until a means for locking is activated. By using a ball joint and an adjustable anchorage part, adjustments can be made in the Z direction, also. The connection element disclosed in Krauss fails to disclose the elements of claim 1 as arranged in the claim. Krauss fails to disclose forming a ball joint from a ball of a pin coupled to an anchorage part that is adjustable in the Z direction and is coupled to a retainer of a supporting element by screw thread. Instead, the detent

teeth (which is not a screw thread) of Krauss is a part of the articulation head (30) of the piston element 28 in Fig. 2 of Krauss. This head 30 serves the function of a ball, but is not a part of a pin. Instead, the piston element (28) is not an insertion pin with a ball on one end and a trunnion on the opposite end, but it merely an intermediate fitting. The swivel pan (22) receives the head (30) and couples it to a fastening piece 12 that is fastened to a paneling piece 20 but not to the structure 48. If the swivel pan (22) is considered a recess, then Krauss has no ball joint and if considered a ball joint with the head (3) then Krauss has no recess in a receiver. Claim 1 requires both for coupling on opposite ends of an insertion pin. Thus, claim 1 is not anticipated by the Krauss reference.

Non-obviousness

None of the other references cited in the Office Action, taken alone or in combination with the Krauss reference, teach or suggest all of the limitations of claim 1, as amended. Claims 2-3 and 7-10 include all of the limitations of claim 1, plus additional limitations. Therefore, all of the pending claims are nonobvious over Krauss, taken alone or in combination with any of the other references.

Each of the cited references use mechanisms for securing structures that are different from each other and very different from the limitations of the claims.

Savage (U.S. Patent 4,375,864) teaches a spout 26 connected to a bag 14 using an annular flange 28. Extending outward from the flange 28 is a reduced diameter collar 29 and then a further reduced diameter neck portion 30 which extends through an orifice 16 in a side wall 12. The step in diameters from the collar to the neck forms a circular shoulder 34 which abuts the inside surface of the box wall 12. A second annular flange 36 around the neck portion 30 outwards of the shoulder 34, abuts an outer surface of a box wall 12. Together with the shoulder, the neck portion forms an annular recess 32. The recess 32 contains a portion of the wall 12 forming the periphery of the orifice 16. The spout 26 is placed within the orifice 16 with a flap section 22 folded upward. The remainder of the periphery of the orifice 16 is engaged within the recess 32. By folding the section 22 downward and engaging it within the recess 32, the spout

26 is locked into position. (See col. 3, lines 35-52). Savage does not teach or suggest the means for locking or an insertion pin, as those elements are arranged in claim 1, as amended. Therefore, Savage fails to teach or suggest those limitations omitted by the Krauss reference.

Klinger, U.S. Patent 5,275,443, discloses a housing 12 which includes a first section 30 having a first diameter large enough to receive a tube 24 and a locking assembly 11, and a second section 32 which has a reduced diameter. The first section 30 receives the locking assembly 11 which includes a sliding collar 14 and a compression ring 16. The collar 14 and the ring 16 of Klinger are retained in a housing 12 by a retaining fork 17 which snaps over housing 12. This tube 24 is not an insertion pin, because it fails to teach or suggest a ball on one end of the tube and a trunnion on the opposite end of the tube. Thus, Klinger fails to teach or suggest the limitations of claim 1 omitted by the Krauss reference and Savage taken alone or in combination with these other references.

In order to establish *prima facie* obviousness, a single reference or a combination of references much teach or suggest all of the limitations of a claim to a person having ordinary skill in the art. The Krauss reference, taken alone or in combination with the other cited references, fails to teach or suggest all of the limitations of claim 1.

Furthermore, claim 3 introduces a second recess of the receiver "contoured for receiving the trunnion portion of the insertion pin" at a distance from the first recess. None of the cited references teach or suggest this arrangement of elements. For this additional reason, claim 3 is nonobvious over the cited references.

Bertram, U.S. Patent 7,168,879, fails to teach or suggest any of the limitations of claims 1 and 3 that are omitted by all of the other cited references. Claim 9 depends from claim 1 and incorporates all of the limitations of claim 1 and additional limitations; therefore, claim 9 is nonobvious over Bertram, taken alone or in combination with any of the other cited references.

The drawings have been amended to overcome the drawing objections and to correct drawing errors introduced in a previous amendment. The amended drawings are supported by the original drawings and the specification. No new matter has been added by any of the amendments to the drawings, specification or claims. Applicant respectfully requests entry of the amendments and allowance of the pending claims 1-3 and 7-10.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christopher Paradies', with a long horizontal flourish extending to the right.

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